

2000 SEP -5 AM 8:53

SAH JOAQUIN COUNTY

RESOLUTION NO. 2000-146

CITY SHOWN

**A RESOLUTION OF THE LODI CITY COUNCIL APPROVING THE
IMPROVEMENT AGREEMENT ADDENDUM AND ACCEPTING
THE DEVELOPMENT IMPROVEMENTS INCLUDED IN THE
IMPROVEMENT AGREEMENT FOR LODI WEST, UNIT NO. 5,
TRACT NO. 2898**

EXEMPT

WHEREAS, under the terms of the Improvement Agreement dated December 16, 1998, for Lodi West, Unit No. 5, Tract No. 2898, the project included modifications to the existing traffic signal and curb return at the Lower Sacramento Road/Elm Street Intersection. The developer was to be reimbursed for the traffic signal and curb return modifications in conformance with LMC 16.40, Reimbursements for Construction, under the terms of an addendum to the Improvement Agreement when the cost of these improvements became known; and

WHEREAS, the need for traffic signal and curb return modifications was based on the County Special Purpose Plan for Lower Sacramento Road that projected future traffic volumes requiring six travel lanes. A subsequent and more focused traffic study performed by Fehr & Peers Associates, Inc. for the City's Lower Sacramento Road widening project shows that only four travel lanes will be required, thus eliminating the need for the traffic signal and curb return modifications. The developer, however, had contracted with others for design services and submitted plans for these modifications prior to the determination by the City that the modifications were not necessary. The addendum to the Improvement Agreement covers reimbursement to the developer for the costs incurred for this work in the amount of \$3,607.00; and

WHEREAS, staff recommends that Council approve the Addendum to the Improvement Agreement.

The City Council of the City of Lodi finds:

1. That the Addendum to the Improvement Agreement is hereby approved and further authorizes the City Manager and City Clerk to execute said Addendum; and

2. That all requirements of the Improvement Agreement between the City of Lodi and Lodi Building Partners, II, L.P., for the improvements of Lodi West, Unit No. 5, Tract No. 2898 have been substantially complied with. The improvements are shown on Drawings No. 98D074 through 98D083, and 98D101 through 98D103 on file in the Public Works Department, and as specifically set forth in the plans and specifications approved by the City Council on December 16, 1998.

3. The streets to be accepted are as follows:

Streets	Length in Miles
Douglas Fir Drive	0.08
Grand Fir Drive	0.10
Hawthorne Lane	0.02
Knobcone Lane	0.07
Lower Sacramento Road	0.00
Magnolia Court	0.08
Magnolia Lane	0.05
Ponderosa Drive	0.03
Reynolds Way	0.02
Westbrook Drive	0.07
Total New Miles of City Streets	0.52

Dated: August 16, 2000

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I hereby certify that Resolution No. 2000-146 was passed and adopted by the City Council of the City of Lodi in a regular meeting held August 16, 2000 by the following vote:

AYES: COUNCIL MEMBERS – Hitchcock, Land, Nakanishi, Pennino and Mann (Mayor)

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


SUSAN J. BLACKSTON
City Clerk